



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

July 11, 1991

Mr. R. Kent Phillips  
Assistant Attorney General  
Medicaid Fraud Control Unit  
3000 IH 35 South, Suite 200  
P. O. Box 12548  
Austin, Texas 78704

OR91-322

Dear Mr Phillips:

You ask whether certain information in the possession of the Medicaid Fraud Control Unit of the Attorney General's office is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12629.

Some of the requested information consists of a nursing home's "Payroll Verification Reports." Those reports contain *inter alia* individual nursing home employees' wage rates and total wages for pay periods. The wage information is "background financial information" which must be withheld under section 3(a)(1) in conjunction with common law privacy principles. See Open Records Decision No. 523 (1989). We have marked as an example the wage information for the first entry on page 1 of the payroll records which must be withheld.

We understand that since making your request you have determined to release the balance of the requested information. Assuming that you will in fact release it, we need not address the claims you made in your original request with respect to that information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-322.

Yours very truly,

A handwritten signature in black ink, appearing to read 'William Walker', with a long horizontal flourish extending to the right.

William Walker  
Assistant Attorney General  
Opinion Committee

WW/mc

Ref.: ID# 12629

Enclosure: Open Records Decision No. 523

cc: George (Tex) Quesada  
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Dallas, Texas 75205-4185